

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA, <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> DEVEON MARQUISE BRANCH, <p style="text-align: center;">Defendant.</p>	Case No. 22-CR-178 (SRN/DTS) ORDER
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Deveon Marquise Branch, Reg. No. 16897-510, FCI-Allenwood, P.O. Box 2000, White Deer, PA 17887, Pro Se.

SUSAN RICHARD NELSON, United States District Judge

Before the Court is the Pro Se Letter Request [Doc. No. 94] filed by Defendant Deveon Marquise Branch. In May 2023, Mr. Branch pled guilty to being a felon in possession of a firearm. He is serving a sentence of 46 months, at FCI-Allenwood, in Pennsylvania, with a December 29, 2025 release date. *BOP Inmate Locator*, https://www.bop.gov/mobile/find_inmate/byname.jsp#inmate_results.

In his letter, Mr. Branch seeks relief in obtaining good time credit under the First Step Act (“FSA”) for prison coursework. (Def.’s Letter at 1.) The Court construes Mr. Branch’s request as a challenge to the manner in which the BOP is executing his sentence. Such a motion is properly raised through a habeas petition pursuant to 28 U.S.C. § 2241, after Mr. Branch exhausts his administrative remedies within the BOP. *See Spencer v.*

Haynes, 774 F.3d 467, 469 (8th Cir. 2014) (observing that where a prisoner seeks a remedy that would result in an earlier release from prison, a writ of habeas corpus is the proper remedy). Importantly, a petition under § 2241 must be filed in the district of incarceration rather than through a motion in the criminal case in the district of conviction. *Rumsfeld v. Padilla*, 542 U.S. 426, 443, 447 (2004) (“Whenever a 28 U.S.C. § 2241 habeas petitioner seeks to challenge his present physical custody within the United States, he should name his warden as respondent and file the petition in the district of confinement.”) Because Mr. Branch is not incarcerated in this District, the Court lacks jurisdiction to consider his motion.

Therefore, it is **HEREBY ORDERED** that:

1. Defendant’s Pro Se Letter Request [Doc. No. 94] is **DENIED WITHOUT PREJUDICE**.

Dated: March 31, 2025

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge